

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARIO CANOY,

Plaintiff,

Civil Action No. 22-CV-10695

vs.

HON. BERNARD A. FRIEDMAN

STATE OF MICHIGAN, et al.,

Defendants.

**ORDER ACCEPTING THE MAGISTRATE JUDGE’S REPORT AND
RECOMMENDATION, DISMISSING THE COMPLAINT WITHOUT PREJUDICE,
ALLOWING PLAINTIFF 21 DAYS TO FILE AN AMENDED COMPLAINT,
AND DISMISSING DEFENDANTS’ PENDING MOTIONS AS MOOT**

This matter is presently before the Court pursuant to 28 U.S.C. § 1915(e). Magistrate Judge Curtis Ivy, Jr. has submitted a Report and Recommendation (“R&R”) in which he recommends that plaintiff’s complaint be dismissed without prejudice. (ECF No. 12, PageID.38). Magistrate Judge Ivy further recommends that, within twenty-one days of service of this order, plaintiff be allowed one opportunity to file an amended complaint that gives notice of his claims and conforms with the Federal Rules of Civil Procedure. (*Id.*, PageID.39). No party has objected to the R&R,¹ and the objection period has expired.

¹ Following the entry of Magistrate Judge Ivy’s R&R, defendants Detroit Police Department (“DPD”) and Michigan State Police (“MSP”) filed motions to dismiss. (ECF Nos. 13, 15). On July 5, 2022, plaintiff filed a “document” that briefly addresses these motions, reiterates plaintiff’s claims, and raises additional relevant facts. (ECF No. 16). Plaintiff’s filing does not mention the R&R. Further, even if plaintiff intended this filing to serve as an objection to the R&R, it is improper. The arguments raised in plaintiff’s filing are general and fail to “specify[] a single issue of contention” as to the R&R. *Howard v. Sec. of Health and Hum. Servs.*, 932 F.2d 505, 509 (6th Cir. 1991). *See also* E.D. Mich. LR 72.1(d)(1). Therefore, the Court need not review *de novo* any part of the magistrate judge’s disposition. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Having reviewed the complaint, the Court agrees with the magistrate judge's analysis and recommendation. Accordingly,

IT IS ORDERED that Magistrate Judge Ivy's R&R (ECF No. 12) is hereby accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that the complaint is dismissed without prejudice.

IT IS FURTHER ORDERED that, within twenty-one days of service of this order, plaintiff may file an amended complaint that gives notice of his claims and conforms with the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that all pending motions (ECF Nos. 13, 15) are dismissed as moot.

Dated: July 11, 2022
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 11, 2022.

Dario Canoy
12755 Kentucky Street
Detroit, MI 48238

s/Johnetta M. Curry-Williams
Case Manager